

PROSE,SA2,PE

**U.S. District Court
Southern District of Indiana (Terre Haute)
CIVIL DOCKET FOR CASE #: 2:13-cv-00390-JMS-WGH**

LINDSEY v. SCOTT et al
Assigned to: Judge Jane Magnus-Stinson
Referred to: Magistrate Judge William G. Hussmann, Jr
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 10/31/2013
Jury Demand: Plaintiff
Nature of Suit: 555 Prisoner Petitions -
Prison Condition
Jurisdiction: Federal Question

Discovery Deadline: 09/02/2014
Dispositive Motion Deadline: 11/03/2014

Settlement Conference:
Final Pretrial Conference:
Trial Date:

Plaintiff**JOSHUA PETER LINDSEY**

represented by **JOSHUA PETER LINDSEY**
112177
WESTVILLE - CF
WESTVILLE CORRECTIONAL
FACILITY
Inmate Mail/Parcels
5501 South 1100 West
WESTVILLE, IN 46391
PRO SE

V.

Defendant**BENJAMIN SCOTT**

represented by **William M. Horne**
INDIANA ATTORNEY GENERAL
302 West Washington Street,
Indiana Government Center South
Fifth Floor
Indianapolis, IN 46204
317-234-2900
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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
10/31/2013	<u>1</u>	CONSENT to Prisoner E-Service by JOSHUA PETER LINDSEY. Pursuant to General Order 2013-1, documents submitted by JOSHUA PETER LINDSEY to the court for filing will generate a Notice of Electronic Filing that will constitute official service upon registered users of CM/ECF. If any

		parties to the case are not registered CM/ECF users, the Clerk of the Court will mail the document via U.S. Postal Service on behalf of the inmate. NOTE: The E-Filing Program does not affect the obligation of other parties to serve copies of documents in accordance with the Federal Rules of Civil Procedure. (JD) (Entered: 11/06/2013)
10/31/2013	<u>2</u>	COMPLAINT against RICHARD BROWN, BENJAMIN SCOTT, filed by JOSHUA PETER LINDSEY. (No fee paid with this filing) (Attachments: # <u>1</u> Exhibits in Support of Complaint)(JD) (Entered: 11/06/2013)
10/31/2013	<u>3</u>	NOTICE of Lawsuit & Request for Waiver of Service for Summons Supplied by JOSHUA PETER LINDSEY. (JD) (Entered: 11/06/2013)
10/31/2013	<u>4</u>	DEMAND (Motion) for Trial by Jury, filed by Plaintiff JOSHUA PETER LINDSEY. (JD) (Entered: 11/06/2013)
10/31/2013	<u>5</u>	MOTION for Leave to Proceed in forma pauperis, filed by Plaintiff JOSHUA PETER LINDSEY. (Attachments: # <u>1</u> Affidavit of Account Balance)(JD) (Entered: 11/06/2013)
10/31/2013	<u>6</u>	MOTION for Production and Inspection of Video Footage and Photos, filed by Plaintiff JOSHUA PETER LINDSEY. (JD) (Entered: 11/06/2013)
10/31/2013	<u>7</u>	MOTION for Preliminary Injunction, filed by Plaintiff JOSHUA PETER LINDSEY. (JD) (Entered: 11/06/2013)
11/06/2013	<u>8</u>	MAGISTRATE JUDGE's NOTICE of Availability to Exercise Jurisdiction issued. (JD) (Entered: 11/06/2013)
11/07/2013	<u>9</u>	Entry Discussing Pending Motions - granting <u>5</u> Motion for Leave to Proceed in forma pauperis; denying <u>6</u> Motion motion for production of video footage and photographs; denying <u>7</u> Motion for Preliminary Injunction. (See Entry.) Signed by Judge Jane Magnus-Stinson on 11/7/2013. (RSF) (Entered: 11/07/2013)
11/07/2013	<u>10</u>	Entry Dismissing Complaint and Directing Further Proceedings - The complaint is now subject to the screening requirement of 28 U.S.C. § 1915A (b). This statute directs that the court dismiss a complaint or any claim within a complaint which "(1) is frivolous, malicious, or fails to state a claim upon which relief may be granted; or (2) seeks monetary relief from a defendant who is immune from such relief." The complaint violates Rule 8 and is therefore dismissed because it is not a short and plain statement showing that the plaintiff is entitled to relief. The plaintiff shall have through December 6, 2013, in which to file an amended complaint. (See Entry.) Signed by Judge Jane Magnus-Stinson on 11/7/2013.(RSF) (Entered: 11/07/2013)
11/13/2013	<u>11</u>	CONSENT to Jurisdiction to US Magistrate Judge by JOSHUA PETER LINDSEY. (SWM) (Entered: 11/13/2013)
11/19/2013	<u>12</u>	MOTION for change of Judge no c/s, filed by Plaintiff JOSHUA PETER LINDSEY. (DW) (Entered: 11/20/2013)
11/20/2013	<u>13</u>	AMENDED COMPLAINT, filed by JOSHUA PETER LINDSEY.

		(Attachments: # 1 Exhausted Administrative Remedies, # 2 Waiver of Service of Summons)(DW) (Entered: 11/20/2013)
11/22/2013	14	ENTRY - The plaintiff's motion for change of judge for the assigned United States Magistrate Judge to "take command" of his case [dkt. 12] is denied because the prerequisites of 28 U.S.C. § 636(c) have not occurred. (See Entry.) Signed by Judge Jane Magnus-Stinson on 11/22/2013. (RSF) (Entered: 11/22/2013)
11/26/2013	15	Entry Discussing Amended Complaint and Directing Service of Process - Plaintiff Joshua Peter Lindsey, an inmate at the Wabash Valley Correctional Facility ("WVCF"), filed this civil rights complaint against Custody Officer Benjamin Scott. The clerk is designated, pursuant to Fed. R. Civ. P. 4(c)(3), to issue and serve process on the defendant in the manner specified by Fed. R. Civ. P. 4(d)(1). Process shall consist of the amended complaint (dkt. 13), applicable forms, and this Entry. The clerk shall terminate Richard Brown as a defendant because he was not named as a defendant in the amended complaint. (See Entry.) Copied distributed pursuant to distribution list. Signed by Judge Jane Magnus-Stinson on 11/26/2013.(RSF) (Entered: 11/26/2013)
11/26/2013	16	NOTICE of Lawsuit & Waiver Issued by Clerk, upon Officer Benjamin Scott. (RSF) (Entered: 11/26/2013)
12/05/2013	17	WAIVER OF SERVICE Returned Executed BENJAMIN SCOTT waiver sent on 11/26/2013, signed on 12/3/13. (RSF) (Entered: 12/05/2013)
12/27/2013	18	MOTION for Jury Trial, filed by Plaintiff JOSHUA PETER LINDSEY no c/s. (MAC) (Entered: 12/27/2013)
12/27/2013	19	MOTION for Pretrial Discovery Discovery, filed by Plaintiff JOSHUA PETER LINDSEY no c/s. (MAC) (Entered: 12/27/2013)
12/27/2013	20	MOTION to Compel Discovery, filed by Plaintiff JOSHUA PETER LINDSEY no c/s. (MAC) (Entered: 12/27/2013)
12/27/2013	21	MOTION to Appoint Counsel, filed by Plaintiff JOSHUA PETER LINDSEY no c/s. (Attachments: # 1 Letters)(MAC) (Entered: 12/27/2013)
12/31/2013	22	Entry Discussing Pending Motions - The plaintiff's motion for jury trial [dkt. 18] is granted to the extent that it is effective as his jury demand. The plaintiff's motion for pretrial discovery [dkt. 19] and motion to compel discovery [dkt. 20] are denied as premature. The plaintiff's motion for appointment of counsel [dkt. 21] is denied. (See Entry.) Copies distributed pursuant to distribution list. Signed by Judge Jane Magnus-Stinson on 12/31/2013. (RSF) (Entered: 12/31/2013)
01/02/2014	23	Emergency MOTION to Ask Court to Disregard All of the Motions, filed by Plaintiff JOSHUA PETER LINDSEY. (JKS) (Entered: 01/02/2014)
01/03/2014	24	ENTRY - The plaintiff's emergency motion to ask court to disregard all motions [dkt. 23] is denied as moot because the Court has ruled on all pending motions in this action. The plaintiff shall take care in the future to file only motions he intends to have filed so that judicial resources are not


		wasted. Signed by Judge Jane Magnus-Stinson on 1/3/2014. (RSF) (Entered: 01/03/2014)
01/27/2014	25	NOTICE of Appearance by William M. Horne on behalf of Defendant BENJAMIN SCOTT. (Horne, William) (Entered: 01/27/2014)
01/27/2014	26	<i>Defendant's</i> ANSWER to 13 Amended Complaint <i>and Affirmative Defenses</i> , filed by BENJAMIN SCOTT.(Horne, William) (Entered: 01/27/2014)
01/28/2014	27	CERTIFICATE OF SERVICE by BENJAMIN SCOTT re 25 Notice of Appearance (Horne, William) (Entered: 01/28/2014)
01/29/2014	28	Entry Directing Development of Exhaustion Defense and Issuing Partial Stay - The defendant shall have through March 14, 2014, in which to either a) file a dispositive motion in support of his affirmative defense that the plaintiff failed to exhaust his administrative remedies prior to filing this lawsuit, or b) notify the Court that he withdraws the defense. If such a dispositive motion is filed, the plaintiff shall have twenty-eight (28) days in which to respond. The defendant shall then have fourteen (14) days in which to reply. Except for activities associated with the development and resolution of the defendant's affirmative defense that the plaintiff failed to exhaust his administrative remedies prior to filing this action, or any other matter directed by the Court, any other activities or deadlines in the action are stayed. Signed by Judge Jane Magnus-Stinson on 1/29/2014.(RSF) (Entered: 01/29/2014)
01/30/2014	29	MOTION for Clerk's Entry of Default, filed by Plaintiff JOSHUA PETER LINDSEY. (Attachments: # 1 redacted document)(JKS) (Entered: 01/31/2014)
02/03/2014	30	ENTRY - denying 29 Motion for Clerk's Entry of Default because the defendant is not in default. The answer was filed on January 27, 2014. Signed by Judge Jane Magnus-Stinson on 2/3/2014. (RSF) (Entered: 02/03/2014)
03/12/2014	31	***PLEASE DISREGARD - STRICKEN AT [35]*** Letter to the Court from Joshua Lindsey. (SWM) Modified on 3/18/2014 (RSF). (Entered: 03/13/2014)
03/14/2014	32	NOTICE of <i>Withdrawal of Failure to Exhaust Administrative Remedies Defense</i> , filed by Defendant BENJAMIN SCOTT (Horne, William) (Entered: 03/14/2014)
03/14/2014	33	MOTION to Amend/Correct <i>Answer and Affirmative Defenses</i> , filed by Defendant BENJAMIN SCOTT. (Attachments: # 1 Exhibit A4/5/13 Report of Conduct, # 2 Exhibit B - 4/18/13 Report of Disciplinary Hearing, # 3 Exhibit C - Defendant's Amended Answer and Affirmative Defenses, # 4 Exhibit D - Certification of Records for Exhs A & B, # 5 Text of Proposed Order)(Horne, William) (Entered: 03/14/2014)
03/14/2014	34	MOTION to Strike <i>Two of Plaintiff's Documents and/or Take Appropriate Action</i> , filed by Defendant BENJAMIN SCOTT. (Attachments: # 1 Exhibit A - 7/15/13 Offender Grievance, # 2 Exhibit B - 7-15-13 Initial Grievance

		Statement, # 3 Exhibit C - 7/15/13 Initial Grievance Statement w/ Executive Assistant Signature, # 4 Exhibit D - Declaration of Teresa Littlejohn, # 5 Text of Proposed Order)(Horne, William) (Entered: 03/14/2014)
03/18/2014	35	Entry Concerning Selected Matters and Directing Plaintiff to Show Cause - The defendant's motion to amend answer [dkt. 33] is granted. The clerk shall detach and file the tendered Amended Answer and Affirmative Defenses. The defendant has not filed a motion for summary judgment and therefore the plaintiff's filing [dkt. 31] is stricken as improper. The defendant's motion to strike [dkt. 34] is granted consistent with this Entry. Lindsey shall have through April 15, 2014, in which to show cause. (See Entry.) Signed by Judge Jane Magnus-Stinson on 3/18/2014. (RSF) (Entered: 03/18/2014)
03/18/2014	36	AMENDED ANSWER to 2 Complaint, filed by BENJAMIN SCOTT. (Docketed pursuant to 35 .)(RSF) (Entered: 03/18/2014)
03/24/2014	37	MOTION to Strike, filed by Plaintiff JOSHUA PETER LINDSEY. (Attachments: # 1 Cover page and Exhibits A, B, C and D)(DW) (Entered: 03/24/2014)
03/24/2014	38	MOTION to Strike (Exhibits A/B/C/D that are presented in the defendants Motion to Amend Answer and Affirmative defenses, filed by Plaintiff JOSHUA PETER LINDSEY. (DW) (Entered: 03/24/2014)
03/26/2014	39	RESPONSE, re 35 Order to Show Cause, filed by Plaintiff JOSHUA PETER LINDSEY. (Attachments: # 1 List of Exhibits, # 2 Exhibit A - Inmate Account Transaction, # 3 Exhibit B - Receipt Admin Remedy, # 4 Exhibit C - Return of Grievance)(JKS) (Entered: 03/26/2014)
04/02/2014	40	ENTRY - The plaintiff's motions to strike [dkts. 37, 38] are denied because his allegations that such documents could be prejudicial if viewed by a jury do not rise to the level of being "redundant, immaterial, impertinent, or scandalous." (See Entry.) Signed by Judge Jane Magnus-Stinson on 4/2/2014. (RSF) (Entered: 04/02/2014)
04/02/2014	41	Entry Discussing Response to Order to Show Cause - In the Entry of March 18, 2014, the Court directed plaintiff Lindsey to show cause. The order to show cause is hereby discharged. (See Entry.) Signed by Judge Jane Magnus-Stinson on 4/2/2014.(RSF) (Entered: 04/02/2014)
04/02/2014	42	ENTRY SETTING PRETRIAL SCHEDULE - Dispositive Motions due by 8/1/2014. Discovery due by 7/1/2014. (See Entry.) Signed by Judge Jane Magnus-Stinson on 4/2/2014.(RSF) (Entered: 04/02/2014)
04/08/2014	43	MOTION to Appoint Counsel, filed by Plaintiff JOSHUA PETER LINDSEY. (Attachments: # 1 Letters from Law Firms/Attorneys)(JKS) (Entered: 04/08/2014)
04/16/2014	44	ENTRY - denying 43 Motion to Appoint Counsel. (See Entry.) Signed by Judge Jane Magnus-Stinson on 4/16/2014. (RSF) (Entered: 04/16/2014)
04/21/2014	45	MOTION to Amend/Correct 2 Plaintiff's Complaint, filed by Plaintiff JOSHUA PETER LINDSEY. (JKS) (Entered: 04/21/2014)

04/22/2014	<u>46</u>	ENTRY - The plaintiff's motion to amend complaint, filed on April 21, 2014, seeks to increase the amount he seeks in relief from \$200,000 in compensatory damages to \$500,000, and from \$900,000 to five million dollars in punitive damages. The plaintiff's motion to amend [dkt. 45] is granted to the extent that the complaint is amended by interlineation to show that the plaintiff seeks \$500,000 in compensatory damages and five million dollars in punitive damages. Signed by Judge Jane Magnus-Stinson on 4/22/2014. (RSF) (Entered: 04/22/2014)
04/29/2014	<u>47</u>	MOTION to Appoint Counsel, filed by Plaintiff JOSHUA PETER LINDSEY. (JKS) (Entered: 04/30/2014)
04/29/2014	<u>48</u>	MOTION to Take Depositions, filed by Plaintiff JOSHUA PETER LINDSEY. (Attachments: # (1) Proposed Deposition Questions, # (2) Proposed Deposition Questions)(JKS) Modified on 4/30/2014 (JKS). (Main Document 48 replaced on 4/30/2014) (JKS). (Entered: 04/30/2014)
04/29/2014	<u>49</u>	MOTION to Waive Fees, filed by Plaintiff JOSHUA PETER LINDSEY. (JKS) (Entered: 04/30/2014)
05/08/2014	<u>50</u>	MOTION to Stay <i>Certain Discovery Pending Scheduling Conference</i> , filed by Defendant BENJAMIN SCOTT. (Attachments: # <u>1</u> Text of Proposed Order Granting Motion for Stay of Certain Discovery)(Horne, William) (Entered: 05/08/2014)
05/08/2014	<u>51</u>	<i>Defendant's Second ANSWER to <u>13</u> Amended Complaint and Affirmative Defenses to Complaint as Further Amended by Interlineation</i> , filed by BENJAMIN SCOTT.(Horne, William) (Entered: 05/08/2014)
05/09/2014	<u>52</u>	MOTION to Compel Discovery of Specific Segment of Video Footage, filed by Plaintiff JOSHUA PETER LINDSEY. (Attachments: # <u>1</u> Wikipedia page and copy of Defendant's Response to Discovery Request)(JKS) (Entered: 05/09/2014)
05/09/2014	<u>53</u>	Entry Concerning Pending Motions - The plaintiff's motion to take depositions by written questions of the defendant and eight non-parties [dkt. 48] is denied. The plaintiff's motion to waive the costs of deposition transcripts [dkt. 49] is denied. The plaintiff's motion for temporary appointment of counsel to conduct depositions [dkt. 47] is denied as moot. The defendant's motion to stay certain discovery [dkt. 50] is denied as moot. (See Entry.) Signed by Judge Jane Magnus-Stinson on 5/9/2014. (RSF) (Entered: 05/09/2014)
05/14/2014	<u>54</u>	ENTRY - denying <u>52</u> Motion to Compel because the defendant responded to the plaintiff's discovery request seeking a copy of such video footage by stating that "[s]uch footage does not exist." The Court cannot compel the production of evidence that does not exist. Signed by Judge Jane Magnus-Stinson on 5/14/2014. (RSF) (Entered: 05/14/2014)
06/04/2014	<u>55</u>	MOTION to Appoint Counsel, filed by Plaintiff JOSHUA PETER LINDSEY. (Attachments: # <u>1</u> Declaration in Support, # <u>2</u> Memorandum of Law)(DW) (Entered: 06/05/2014)

06/13/2014	56	ENTRY - denying 55 Motion to Appoint Counsel. See Entry. Signed by Judge Jane Magnus-Stinson on 6/13/2014. (RSF) (Entered: 06/13/2014)
06/20/2014	57	MOTION "Personal Request to Court", filed by Plaintiff JOSHUA PETER LINDSEY. (SWM) (Entered: 06/20/2014)
06/25/2014	58	MOTION for Extension of Time to 9/2/2014 <i>to Complete Discovery</i> , filed by Defendant BENJAMIN SCOTT. (Attachments: # 1 Text of Proposed Order Extending Discovery Deadline)(Horne, William) (Entered: 06/25/2014)
06/25/2014	59	MOTION to Take Deposition from Joshua Peter Lindsey <i>an inmate</i> , filed by Defendant BENJAMIN SCOTT. (Attachments: # 1 Text of Proposed Order Granting Leave to Depose Inmate)(Horne, William) (Entered: 06/25/2014)
06/26/2014	60	ORDER - granting 59 Motion to Take Deposition from Joshua Peter Lindsey. Copy to plaintiff via US Mail. Signed by Judge Jane Magnus-Stinson on 6/26/2014. (RSF) (Entered: 06/26/2014)
06/26/2014	61	Entry Extending Discovery and Dispositive Motion Deadlines - Dispositive Motions due by 10/2/2014. Discovery due by 9/2/2014. (See Entry.) Signed by Judge Jane Magnus-Stinson on 6/26/2014.(RSF) (Entered: 06/27/2014)
06/30/2014	62	MOTION to Appoint Temporary Counsel to Represent the Plaintiff at Scheduled Deposition, filed by Plaintiff JOSHUA PETER LINDSEY. (JKS) (Entered: 06/30/2014)
07/01/2014	63	Entry On Pending Motions - The plaintiff's personal request to the Court, [dkt. 57], to allow him to file his motion for summary judgment and exhibits by U.S. Mail is granted to the extent that the plaintiff shall be permitted to file by U. S. Mail the exhibits only to any summary judgment motion or response to the defendant's motion for summary judgment, and the flash drive he wishes to file. Denying 62 Motion to Appoint Counsel. (See Entry.) Signed by Judge Jane Magnus-Stinson on 7/1/2014. (RSF) (Entered: 07/01/2014)
07/23/2014	64	NOTICE of Change of Address for JOSHUA PETER LINDSEY. JOSHUA PETER LINDSEY is no longer participating in E-Service. (SWM) (Entered: 07/23/2014)
08/06/2014	65	NOTICE - Status Conference set for 10/20/2014 02:00 PM Telephonic before Magistrate Judge William G. Hussmann, Jr. Signed by Magistrate Judge William G. Hussmann, Jr. on 8/6/2014. (c/m)(NMT) (Entered: 08/06/2014)
08/29/2014	67	MOTION for Leave to File <i>/Disclose Expert Late and Pursuant to Rule 26 (a)(2)(C)</i> , filed by Defendant BENJAMIN SCOTT. (Attachments: # 1 Exhibit A - Defendant's Expert Disclosure, # 2 Text of Proposed Order Granting Leave to Disclose Expert Late)(Horne, William) (Entered: 08/29/2014)
09/04/2014	68	ENTRY granting Defendant's 67 Motion for Leave to disclose expert late. The clerk shall docket the attachment to the motion, Exhibit A, as the "Defendant's Expert Disclosure." Copy to Plaintiff via US Mail. Signed by Judge Jane Magnus-Stinson on 9/4/2014. (ADH) (Entered: 09/04/2014)

09/04/2014	<u>69</u>	Defendant's Expert Disclosure by BENJAMIN SCOTT. (ADH) (Entered: 09/04/2014)
09/08/2014	<u>70</u>	CONSENT to Prisoner E-Service by JOSHUA PETER LINDSEY. Pursuant to General Order 2013-1, documents submitted by JOSHUA PETER LINDSEY to the court for filing will generate a Notice of Electronic Filing that will constitute official service upon registered users of CM/ECF. If any parties to the case are not registered CM/ECF users, the Clerk of the Court will mail the document via U.S. Postal Service on behalf of the inmate. NOTE: The E-Filing Program does not affect the obligation of other parties to serve copies of documents in accordance with the Federal Rules of Civil Procedure. (RSF) (Entered: 09/08/2014)
09/16/2014	<u>71</u>	MOTION for Extension of Summary Judgment Filing Deadline Date, filed by Plaintiff JOSHUA PETER LINDSEY. (SWM) (Entered: 09/17/2014)
09/18/2014	<u>72</u>	ENTRY - denying <u>71</u> Motion for Extension of Time to File a motion for summary judgment. Signed by Judge Jane Magnus-Stinson on 9/18/2014. (RSF) (Entered: 09/18/2014)
09/23/2014	<u>73</u>	NOTICE <i>to the Court regarding Dispositive Motions</i> , filed by Defendant BENJAMIN SCOTT (Horne, William) (Entered: 09/23/2014)
09/24/2014	<u>74</u>	ENTRY - In light of the defendant's notice that he does not intend to file a motion for summary judgment, the Court has reconsidered the plaintiff's motion for extension of time to file a motion for summary judgment [dkt. 71] and now grants that motion. The plaintiff shall have through November 3, 2014, in which to file a motion for summary judgment. Signed by Judge Jane Magnus-Stinson on 9/24/2014.(RSF) (Entered: 09/24/2014)
09/29/2014	<u>75</u>	MOTION for Preliminary Injunction, filed by Plaintiff JOSHUA PETER LINDSEY. (Attachments: # <u>1</u> Memo in Support) (AH) (Entered: 10/07/2014)
09/29/2014	<u>76</u>	MOTION for Extension of Time to file Motion for Summary Judgment, filed by Plaintiff JOSHUA PETER LINDSEY. (AH) (Entered: 10/07/2014)
09/29/2014	<u>77</u>	MOTION Regarding Filing of Documents, filed by Plaintiff JOSHUA PETER LINDSEY. No c/s. (AH) (Entered: 10/07/2014)
10/03/2014	<u>83</u>	First MOTION to Compel, filed by Plaintiff JOSHUA PETER LINDSEY. No c/s. (Attachments: # <u>1</u> Exhibit A1, # <u>2</u> Exhibit A2, # <u>3</u> Exhibit A3, # <u>4</u> Exhibit A4, # <u>5</u> Exhibit A5, # <u>6</u> Divider Page) (AH) Modified on 10/20/2014 (AH). (Entered: 10/20/2014)
10/03/2014	<u>84</u>	Second MOTION to Compel Defendant to Disclose Discovery of Documents, filed by Plaintiff JOSHUA PETER LINDSEY. (Attachments: # <u>1</u> Exhibit B1, # <u>2</u> Exhibit B2, # <u>3</u> Exhibit B3, # <u>4</u> Exhibit B4, # <u>5</u> Exhibit B5, # <u>6</u> Exhibit B6, # <u>7</u> Exhibit B7, # <u>8</u> Exhibit B8, # <u>9</u> Exhibit B9, # <u>10</u> Exhibit B10, # <u>11</u> Exhibit B11, # <u>12</u> Exhibit B12, # <u>13</u> Exhibit B13)(AH) (Entered: 10/20/2014)
10/08/2014	<u>78</u>	ORDER denying Plaintiff's <u>75</u> Motion for Preliminary Injunction. His motion is denied because his due process rights are not being denied and he

		is not entitled to four free copies of his filings or other documents. As part of the electronic filing program, the plaintiff is entitled to have one copy made of his filings, for his records. One of the purposes of the e-filing program is to lessen the amount of paper used. Signed by Judge Jane Magnus-Stinson on 10/8/2014. (AH) (Entered: 10/08/2014)
10/08/2014	79	ORDER denying 76 Motion for Extension of Time and denying 77 Motion Regarding Filing of Documents. The plaintiff's motion for extension of time to file motion for summary judgment is denied as unnecessary because the current deadline for him to file a motion for summary judgment is November 3, 2014, not October 2, 2014. The plaintiff's motion regarding filing of documents alleges that he could not e-file his motion for preliminary injunction because someone in the law library would have destroyed it so he filed it by mail. Contrary to his contentions, the motion for preliminary injunction was, in fact, e-filed, and no one in the library staff destroyed it. He is entitled to a single copy of his filings at the time they are e-filed. The plaintiff should focus his time and efforts on drafting his motion for summary judgment. The plaintiff is also reminded he must at all times be truthful with the Court. Signed by Judge Jane Magnus-Stinson on 10/8/2014. (AH) (Entered: 10/08/2014)
10/14/2014	80	NOTICE and ORDER - Telephonic Status Conference reset for 10/29/2014 at 11:00 AM in Telephonic before Magistrate Judge William G. Hussmann Jr. Defendant's counsel is DIRECTED to confirm the telephone arrangements for this conference with the Plaintiff's facility and make plans to connect Plaintiff into the call, if necessary. (See Order.) Signed by Magistrate Judge William G. Hussmann, Jr on 10/14/2014. (RSF) (Entered: 10/14/2014)
10/15/2014	82	EMERGENCY MOTION to Order Westville Correctional Facility to Mail Motion for Summary Judgment, filed by Plaintiff JOSHUA PETER LINDSEY. (AH) (Entered: 10/20/2014)
10/20/2014	85	MOTION for Extension of Time to 11/06/14 to file response to 84 MOTION to Compel, 83 MOTION to Compel, filed by Defendant BENJAMIN SCOTT. (Attachments: # 1 Exhibit Notice Electronic Filing, # 2 Exhibit Notice Electronic Filing, # 3 Text of Proposed Order)(Horne, William) (Entered: 10/20/2014)
10/21/2014	86	ORDER - The Court, having considered the above action and the matters which are pending, makes the following rulings: 1. The plaintiff's first 83 motion to compel is granted in part and denied in part; 2. The plaintiff's second 84 motion to compel is denied; 3. The defendant's 85 motion for extension of time to respond to the two motions to compel is denied as moot. 4. The plaintiff's emergency 82 motion to order Westville Correctional Facility is granted to the extent that the 63 Entry of July 1, 2014 still stands. **SEE ORDER** Signed by Judge Jane Magnus-Stinson on 10/21/2014. (AH) (Entered: 10/21/2014)
10/22/2014	 88	MOTION for Summary Judgment, filed by Plaintiff JOSHUA PETER LINDSEY. (AH) (Additional attachment(s) added on 10/30/2014: # 1 Envelope) (AH). (Entered: 10/30/2014)

10/22/2014	<u>89</u>	DECLARATION of JOSHUA LINDSEY re <u>88</u> Motion for Summary Judgment by JOSHUA PETER LINDSEY. (AH) (Entered: 10/30/2014)
10/22/2014	<u>90</u>	BRIEF (Part 1) in Support re <u>88</u> MOTION for Summary Judgment, filed by Plaintiff JOSHUA PETER LINDSEY. (AH) (Entered: 10/30/2014)
10/22/2014	<u>91</u>	BRIEF (Part 2) in Support re <u>88</u> MOTION for Summary Judgment, filed by Plaintiff JOSHUA PETER LINDSEY. (AH) (Entered: 10/30/2014)
10/22/2014	<u>92</u>	MEMORANDUM (Part 1) in Support re <u>88</u> MOTION for Summary Judgment, filed by Plaintiff JOSHUA PETER LINDSEY. (AH) (Entered: 10/30/2014)
10/22/2014	<u>93</u>	MEMORANDUM (Part 2) in Support re <u>88</u> MOTION for Summary Judgment, filed by Plaintiff JOSHUA PETER LINDSEY. (AH) (Entered: 10/30/2014)
10/22/2014	<u>94</u>	MEMORANDUM (Part 3) in Support re <u>88</u> MOTION for Summary Judgment, filed by Plaintiff JOSHUA PETER LINDSEY. (AH) (Entered: 10/30/2014)
10/22/2014	<u>95</u>	MEMORANDUM (Part 4) in Support re <u>88</u> MOTION for Summary Judgment, filed by Plaintiff JOSHUA PETER LINDSEY. (AH) (Entered: 10/30/2014)
10/22/2014	<u>96</u>	Submission of Index of Exhibits, filed by Plaintiff JOSHUA PETER LINDSEY. (AH) (Entered: 10/30/2014)
10/27/2014	<u>87</u>	MOTION for Extension of Time to Nov. 10, 2014 <i>to Respond to Plaintiff's Served but Unfiled Motion for Summary Judgment</i> , filed by Defendant BENJAMIN SCOTT. (Attachments: # <u>1</u> Exhibit A - Certificate of Service, # <u>2</u> Exhibit B - Copy of Service Envelopes, # <u>3</u> Text of Proposed Order) (Horne, William) (Entered: 10/27/2014)
10/29/2014	<u>97</u>	NOTICE of Initial Disclosures (Part 1) re <u>88</u> by JOSHUA PETER LINDSEY (AH) Modified on 10/30/2014 (AH). (Entered: 10/30/2014)
10/29/2014	<u>98</u>	NOTICE of Initial Disclosures (Part 2) re <u>88</u> by JOSHUA PETER LINDSEY (AH) Modified on 10/30/2014 (AH). (Entered: 10/30/2014)
10/29/2014	<u>99</u>	Submission of Exhibits re <u>88</u> , filed by Plaintiff JOSHUA PETER LINDSEY. (Attachments: # <u>1</u> Exhibit A2, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D) (AH) Modified on 10/30/2014 (AH). (Entered: 10/30/2014)
10/29/2014	<u>100</u>	Submission of Exhibits re <u>88</u> , filed by Plaintiff JOSHUA PETER LINDSEY. (Attachments: # <u>1</u> Exhibit F, # <u>2</u> Exhibit G, # <u>3</u> Exhibit H, # <u>4</u> Exhibit I) (AH) Modified on 10/30/2014 (AH). (Entered: 10/30/2014)
10/29/2014	<u>101</u>	Submission of Exhibits re <u>88</u> , filed by Plaintiff JOSHUA PETER LINDSEY. (Attachments: # <u>1</u> Exhibit K, # <u>2</u> Exhibit L, # <u>3</u> Exhibit M, # <u>4</u> Exhibit N) (AH) Modified on 10/30/2014 (AH). (Entered: 10/30/2014)
10/29/2014	<u>102</u>	Submission of Exhibits re <u>88</u> , filed by Plaintiff JOSHUA PETER LINDSEY. (Attachments: # <u>1</u> Exhibit P, # <u>2</u> Exhibit Q, # <u>3</u> Exhibit R, # <u>4</u> Exhibit S) (AH) Modified on 10/30/2014 (AH). (Entered: 10/30/2014)

10/29/2014	103	Submission of exhibits re 88 , filed by Plaintiff JOSHUA PETER LINDSEY. (Attachments: # 1 Exhibit U, # 2 Exhibit V, # 3 Exhibit W, # 4 Exhibit X, # 5 Exhibit X1, # 6 Exhibit Z, # 7 Envelope) (AH) Modified on 10/30/2014 (AH). (Entered: 10/30/2014)
10/30/2014	104	ORDER granting Defendant's 87 Motion for Extension of Time to File Response. Defendant shall have until November 10, 2014, or until two weeks after entry is made on the Court's docket of the filing of Plaintiff Joshua Peter Lindsey's motion for summary judgment, briefs, and all exhibits, whichever is later. Signed by Judge Jane Magnus-Stinson on 10/30/2014. (AH) (Entered: 10/30/2014)

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